



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

December 2, 2004

LETTER OF DEFICIENCY #WSEB 04-195
Int. Registered Mail #RR 647 155 770 US

Noel Balli Thun
1890 Vernon Street
Halifax, NS B3H3N7

Subject: Campton - Public Water System: The Country Cow Restaurant & Bar (EPA# 0348080)

Dear Owner:

The records of the NH Department of Environmental Services (DES) show that The Country Cow Restaurant & Bar water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit chemical samples according to the system's established sampling schedule to the State laboratory or a State-certified laboratory in compliance with NH Admin. Rule Env-Ws 326.

DES records show that the subject water system failed to submit the following chemical sample results for the following monitoring periods (calendar quarters).

Quarter 2 – 2004 Nitrate
Quarter 2 – 2004 Nitrite

As a result of the failure to submit the above-described samples, a Notice of Violation (NOV), dated **September 9, 2004**, was sent to you (copy enclosed). The NOV requested that you submit the above-described samples as make-up samples within 30 days. To date, DES has not received the make-up sample results, thus placing the water system in violation of Env-Ws 326.

DES believes the monitoring/reporting deficiencies can be addressed by taking the following action:

1. **By December 23, 2004**, submit a nitrate and a nitrite "make-up sample" to the State laboratory or a State-certified laboratory. Please use the enclosed analysis result form when submitting the samples to your laboratory.

Pursuant to Env-Ws 306, all public water systems are subject to periodic inspections or sanitary surveys by DES staff. The purpose of the sanitary survey is to evaluate the adequacy of source(s), storage facilities, equipment, operation, and maintenance to produce and distribute safe drinking water. Pursuant to Env-Ws 306.01(e), a significant deficiency identified during a sanitary survey must be corrected within 90 days of the inspection.

On July 29, 2004, personnel from DES conducted a sanitary survey of the subject water system. The sanitary survey report, copy enclosed, identified the lack of a source sampling tap prior to the check valve and pressure storage tank as a significant deficiency. The sanitary survey report also requested that you notify DES, in writing, when the deficiency was corrected. Over 90 days have passed since the date of the inspection and DES has no record of the requested response to the sanitary survey report, thus placing the water system in violation of Env-Ws 306.

DES believes the sanitary survey deficiency can be corrected by taking the following action(s):

1. If the sanitary survey deficiency has already been corrected:

- A. **By December 23, 2004**, provide DES with documentation that the sanitary survey deficiency has been corrected.

2. If the sanitary survey deficiency has not been corrected:

- A. **By January 14, 2005**, correct the deficiency described above; and
- B. **By January 21, 2005**, provide DES with documentation that the sanitary survey deficiency has been corrected.

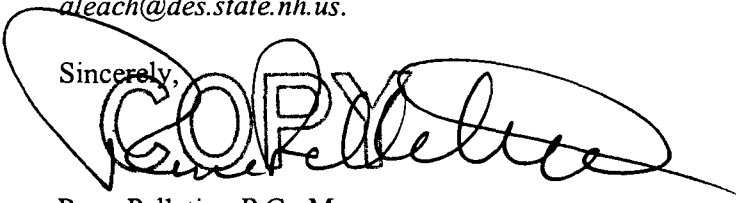
In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please send correspondence or other submission made in connection with this letter to:

Alan Leach
Water Supply Engineering Bureau
Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions regarding this letter, please contact Alan Leach at (603) 271-2854 or by email at aleach@des.state.nh.us.

Sincerely,


Rene Pelletier, P.G., Manager
Land Resource Programs

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Encls: Notice of Violation, dated September 9, 2004
Analysis Request Form
Sanitary Survey Report, dated July 29, 2004

cc: Gretchen R. Hamel, DES Legal Unit Administrator (w/o encl.)
Kerry Benton, Sampling Agent
James McGarr, Town of Campton Health Officer (w/o encl.)
EPA, Region 1 (w/o encl.)